

By CARONA

21 B. No. 1521

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of air conditioning and refrigeration contractors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2, Air Conditioning and Refrigeration Contractor License Law (Article 8861, Vernon's Texas Civil Statutes), is amended by adding Subsections (14) and (15) to read as follows:

(14) "Ventilation" is the conveying of air to or from occupied areas of any occupancy through other than heating or air conditioning systems, for the purpose of removing solid particulates, such as refuse, dust, fumes and smoke; liquid particulate matter, such as spray residue, mists, fogs and grease; vapors, such as vapors from flammable or corrosive liquids, noxious and toxic gases and heat from the environmental air of a building.

(15) "Ventilation contracting" means the design, installation, construction, maintenance, service, repair, alteration, or modification of a product or of equipment in environmental ventilation.

SECTION 2. Section 4, Air Conditioning and Refrigeration Contractors License Law (Article 8861, Vernon's Texas Civil

Statutes) is amended to read as follows:

SECTION 4. AIR CONDITIONING AND REFRIGERATION CONTRACTOR
LICENSE.

(a) Air conditioning and refrigeration contractor licenses are of three [two] classes:

(1) A Class A license entitles the licensee to perform air conditioning and refrigeration contracting, of each type for which the license is endorsed, on systems, products, or equipment of any size or capacity; [and]

(2) A Class B license entitles the licensee to perform air conditioning and refrigeration contracting, of each type for which the license is endorsed, on systems, products, or equipment of any size or capacity; and [.]

(3) A Class X license, signifying no class, and used only for a license endorsed for ventilation.

(b) Endorsements are of three [two] types:

(1) an environmental air conditioning endorsement entitles the licensee to perform air conditioning and refrigeration contracting in relation to environmental air conditioning within the class of license held; [and]

(2) a commercial refrigeration and process cooling and heating endorsement entitles the licensee to perform air conditioning and refrigeration contracting in relation to commercial refrigeration and process cooling and heating within the class of license held; and[.]

(3) a ventilation endorsement entitles the licensee to perform ventilation contracting only. A licensee who holds an

environmental air conditioning endorsement is not required to hold a ventilation endorsement to conduct ventilation contracting.

(c) Each air conditioning and refrigeration contractor license shall be endorsed for [either] environmental air conditioning, [or] commercial refrigeration and process cooling and heating, ventilation, or a combination of environmental air conditioning and commercial refrigeration and process cooling and heating, [or both]. For each endorsement the licensee must perform satisfactorily on a separate examination related to the endorsement. A licensee may not perform under a state license air conditioning and refrigeration contracting of a type for which the person's license is not endorsed.

(d) The commissioner shall prescribe separate examinations for each class of license and, within each class, separate examinations for environmental air conditioning, and for commercial refrigeration and process cooling and heating. The commissioner shall prescribe a separate examination for ventilation endorsements.

(e) An applicant for an air conditioning and refrigeration contractor license must be at least 18 years old and must present to the commissioner satisfactory evidence of at least 36 months of practical experience with the tools of the trade in the preceding five years. For purposes of the experience requirement, a degree or diploma in air conditioning engineering, refrigeration engineering or mechanical engineering from an institution of higher education whose program is approved by the

Texas State Board of Registration for Professional Engineers for the purpose of licensing professional engineers is considered the equivalent of two years of practical experience.

(f) The application must be made on a form prescribed by the commissioner and must specify the class of license and each endorsement the applicant seeks. The application must be verified and must be accompanied by:

- (1) evidence of the insurance coverage required under this Act;
- (2) a statement of the applicant's practical experience; and
- (3) the examination fee.

(g) The commissioner shall issue an air conditioning and refrigeration contractor license to an applicant who possesses the required qualifications, passes the appropriate examinations, and pays the examination fee and the original license fee required by this Act. An applicant who fails an examination is eligible for reexamination.

(h) A license issued under this Act expires at the end of the license period set by the commission.

(i) With the advice of the advisory board, the commissioner shall adopt rules relating to the use, display, and advertisement of a licensee's license.

SECTION 3. Section 6(a)(6), Air Conditioning and Refrigeration Contractors License Law (Article 8861, Vernon's Texas Civil Statutes) is amended to read as follows:

- (6) performs air conditioning and refrigeration contracting

on:

(A) A portable or self-contained ductless environmental air conditioning product that has a cooling capacity of three tons or less;

(B) a portable or self-contained heating product that does not require the forced movement of air outside the heating unit; [or]

(C) environmental air conditioning equipment that is intended for temporary use and is not fixed in place; or[.]

(D) ventilation equipment not capable of moving more than 300 cubic feet per minute.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

H. B. No.

By

A BILL TO BE ENTITLED

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relating to the regulation of air conditioning and refrigeration contractors.

MAR 4 1991

1. Filed with the Chief Clerk.

MAR 12 1991

2. Read first time and Referred to Committee on

STATE AFFAIRS

3. Reported _____ favorably (as amended)
(as substituted) and sent to Printer at _____

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of _____ years, _____ days, _____ present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ years, _____ days, and _____ present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by _____
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments)
(Substitute) by a (Non-Record
Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____